

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Lutz G. GUERTLER et al.)	Prior Group Art Unit: 1648
)	
Application No.: To be assigned)	
)	Prior Examiner: H. Park
Filed: April 22, 2004)	
)	
For: RETROVIRUS FROM THE HIV)	
GROUP AND ITS USE)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached Form PTO-1449. The listed documents were either submitted by Applicants or cited by the Office in the following prior applications: Application No. 09/886,150; Application No. 09/109,916; Application No. 08/471,770; Application No. 08/468,059; and Application No. 08/132,653, upon all of which Applicants rely for the benefits provided in 35 U.S.C. § 120. Accordingly, Applicants request that the Office use the copies of the references found in those files.

Applicants respectfully request that the Examiner consider the documents listed on the attached Form PTO-1449, and indicate that they were considered by making appropriate notations on the attached Form PTO-1449.

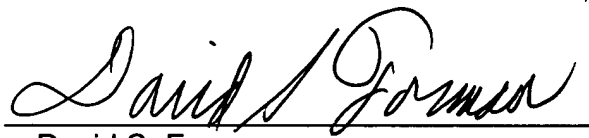
This submission does not represent that a search has been made or that no better art exists, and does not constitute an admission that each, any, or all of the listed documents are material or constitute prior art. If the Examiner applies any of the documents as prior art against any claim in this application and Applicants determine that the cited documents do not constitute prior art under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: 
David S. Forman
Reg. No. 33,694

Date: April 22, 2004

INFORMATION DISCLOSURE CITATION

Atty. Docket No.: 05495.0001-10				Application No.: Not Yet Assigned			
Applicants: Lutz G. GUERTLER et al.							
Filed: Herewith				Group Art Unit: Not Yet Assigned			
U.S. PATENT DOCUMENTS							
Examiner Initial*		Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
		5,304,466	04/1994	De Leys et al.			
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Sub Class	Translation Yes or No
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
		De Leys et al., "Isolation and Partial Characterization of an Unusual Human Immunodeficiency Retrovirus from Two Persons of West-Central African Origin," <i>J. Virol.</i> 64 :1207-16 (1990).					
		Gürtler et al., "A New Subtype of Human Immunodeficiency Virus Type 1 (MVP-5180) from Cameroon," <i>J. Virol.</i> 68 :1581-85 (1994).					
		Vanden Haesevelde et al., "Genomic Cloning and Complete Sequence Analysis of a Highly Divergent African Human Immunodeficiency Virus Isolate," <i>J. Virol.</i> 68 :1586-96 (1994).					
		Rehle et al., "Int. Conf. AIDS (Netherlands)," Vol. 8, No. 3, p. 34, ab. P.A. 6138.					
		Gürtler et al., "Int. Conf. AIDS (Germany)," Vol. 9, No. 1, p. 159, ab. PO-A10-147 (1993).					
		De Leys et al., "Int. Conf. AIDS (Italy)," Vol. 7, No. 1, p. 131, ab. M.A. 1157 (1991).					
		Sharp et al., "Origins and Diversity of Human Immunodeficiency Viruses," <i>AIDS</i> , 8 (Suppl. 1):S27-S42 (1994).					
		Vanden Haesevelde et al., "Molecular Cloning and Complete Sequence Analysis of a Highly Divergent African HIV Isolate," International Conference AIDS (1991).					
		Roitt et al., "Immunology," pp. 61-66, Gower Med. Publishing (1985).					
		Fahey & Schooley, "Status of Immune-Based Therapies in HIV Infections and AIDS," <i>Clinical Exp. Immunol.</i> 88 :1-5 (1992).					
		Fox, "No Winners Against AIDS," <i>Bio/Technology</i> , Vol. 12 (1994).					
Examiner				Date Considered			
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							